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Hon. Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street, Room 2550
New York, New York 10007

Colleen McMahon

Re: *James Kevin Kergil v. USA*, Nos. 17-cv-4675 (CM), 12-cr-152 (CM) (SDNY)

Dear Judge McMahon:

My office has just been retained to handle James Kevin Kergil's pending 28 U.S.C. § 2255 motion to vacate his conviction. By this letter, we respectfully ask the Court to temporarily suspend the motion so we may review the record and determine how best to proceed – e.g., whether to seek leave to amend and supplement Mr. Kergil's *pro se* submissions with a counseled brief. We would conduct this review expeditiously, promptly notifying the Court and the government of our intentions. We appreciate Your Honor's consideration and courtesy in this regard.

Respectfully,

/s/

Marc Fernich

cc: AUSA Eun Young Choi (ECF)